



UNITED STATES DEPARTMENT OF COMMERCE
Patent and Trademark Office
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| SERIAL NUMBER | FILING DATE | FIRST NAMED APPLICANT | ATTORNEY DOCKET NO. |
|---------------|-------------|-----------------------|---------------------|
| 08/173,187 | 12/23/93 | ZHOU | S 99234 |

15M2/0223

POMS, SMITH, LANDE & ROSE
PROFESSIONAL CORPORATION
2029 CENTURY PARK EAST
SUITE 3800
LOS ANGELES, CA 90067-3036

GLASS, M EXAMINER

| ART UNIT | PAPER NUMBER |
|----------|--------------|
| 1501 | 9 |

DATE MAILED: 02/23/95

NOTICE OF ALLOWABILITY

PART I.

1. ☒ This communication is responsive to Amendment A filed 12/23/94
2. ☒ All the claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice Of Allowance And Issue Fee Due or other appropriate communication will be sent in due course.
3. ☒ The allowed claims are 3, 4, 9, 14, 18, 19, 21-36
4. ☐ The drawings filed on _____ are acceptable.
5. ☒ Acknowledgment is made of the claim for priority under 35 U.S.C. 119. The certified copy has ☐ been received. ☐ not been received. ☐ been filed in parent application Serial No. _____, filed on _____
6. ☐ Note the attached Examiner's Amendment.
7. ☐ Note the attached Examiner Interview Summary Record, PTOL-413.
8. ☒ Note the attached Examiner's Statement of Reasons for Allowance.
9. ☐ Note the attached NOTICE OF REFERENCES CITED, PTO-892.
10. ☒ Note the attached INFORMATION DISCLOSURE CITATION, PTO-1449.

PART II.

A SHORTENED STATUTORY PERIOD FOR RESPONSE to comply with the requirements noted below is set to EXPIRE THREE MONTHS FROM THE "DATE MAILED" indicated on this form. Failure to timely comply will result in the ABANDONMENT of this application. Extensions of time may be obtained under the provisions of 37 CFR 1.136(a).

1. ☐ Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL APPLICATION, PTO-152, which discloses that the oath or declaration is deficient. A SUBSTITUTE OATH OR DECLARATION IS REQUIRED.
2. ☐ APPLICANT MUST MAKE THE DRAWING CHANGES INDICATED BELOW IN THE MANNER SET FORTH ON THE REVERSE SIDE OF THIS PAPER.
 - a. ☐ Drawing informalities are indicated on the NOTICE RE PATENT DRAWINGS, PTO-948, attached hereto or to Paper No. _____. CORRECTION IS REQUIRED.
 - b. ☐ The proposed drawing correction filed on _____ has been approved by the examiner. CORRECTION IS REQUIRED.
 - c. ☐ Approved drawing corrections are described by the examiner in the attached EXAMINER'S AMENDMENT. CORRECTION IS REQUIRED.
 - d. ☐ Formal drawings are now REQUIRED.

Any response to this letter should include in the upper right hand corner, the following information from the NOTICE OF ALLOWANCE AND ISSUE FEE DUE: ISSUE BATCH NUMBER, DATE OF THE NOTICE OF ALLOWANCE, AND SERIAL NUMBER.

Attachments:

- | | |
|---|--|
| <input type="checkbox"/> Examiner's Amendment | <input type="checkbox"/> Notice of Informal Application, PTO-152 |
| <input type="checkbox"/> Examiner Interview Summary Record, PTOL-413 | <input type="checkbox"/> Notice re Patent Drawings, PTO-948 |
| <input checked="" type="checkbox"/> Reasons for Allowance | <input type="checkbox"/> Listing of Bonded Draftsmen |
| <input checked="" type="checkbox"/> Notice of References Cited, PTO-892 | <input type="checkbox"/> Other |
| <input checked="" type="checkbox"/> Information Disclosure Citation, PTO-1449 | |

John C. Bleutge
JOHN C. BLEUTGE
SUPERVISORY PATENT EXAMINER
GROUP 150 - ART UNIT 151

meB.

1. The following is an Examiner's Statement of Reasons for Allowance:

In view of applicants' amendments to the claims and their remarks filed December 23, 1994, the Examiner has withdrawn the rejections over Jensen and Jensen in view of Reich et al. Specifically each of applicants' compositions include a specific UV absorber. Jensen teaches the optional inclusion of UV light stabilizers. As applicants' correctly note, these compounds serve distinctly different purposes and there is nothing to indicate that the absorber of Reich et al. would function as the optional UV stabilizers of Jensen. These compositions ^(of Jensen) are useful as, for instance, gaskets, and there is no motivation to add UV absorbers to such compositions since this property, UV absorbing, is not commonly addressed in the gasket and seal forming art. Reich et al. teaches that the UV absorbers are useful in ocular devises, failing to render obvious compositions such as that of Jensen. Since Jensen is absent of any teaching that would suggest such a use, a combination of the two references would not have been obvious to one having ordinary skill in the art. These references are non-analogous arts, further teaching away from a combination of references. This, coupled with applicants' use for the composition, different from that of Jensen, and the improved properties neither taught nor suggested by Jensen, renders the claimed invention unpatentable.

For the record the Examiner notes that the term "superior", used to describe lenses made from the claimed composition, is not considered indefinite since, though this term may be subjective, it is not used as a limitation defining the metes and bounds of the claimed composition. Rather it merely describes the lenses which are fully and definitely defined on their own. As such the rejection of these claims has been reconsidered and withdrawn.

ms
2/20/95

Serial Number: 08/173,187
Art Unit: 1501

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Any comments considered necessary by applicant must be submitted no later than the payment of the Issue Fee and, to avoid processing delays, should preferably **accompany** the Issue Fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

2. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Margaret Glass whose telephone number is (703) 308-308-4334.

mwg

mwg
February 22, 1995

John C. Bleutge

JOHN C. BLEUTGE
SUPERVISORY PATENT EXAMINER
GROUP 150 - ART UNIT 151



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**NOTICE OF ALLOWANCE
AND ISSUE FEE DUE**

☐ Note attached communication from the Examiner

☐ This notice is issued in view of applicant's communication filed _____

| SERIES CODE/SERIAL NO. | FILING DATE | TOTAL CLAIMS | EXAMINER AND GROUP ART UNIT | DATE MAILED |
|---|-------------|--------------|-----------------------------|-------------|
| 08/173,187 | 12/23/93 | 022 | GLASS, M 15017 | 02/23/95 |
| First Named Applicant: ZHOU, STEPHEN Q. | | | | |

TITLE OF INVENTION: HIGH REFRACTIVE INDEX SILICONE COMPOSITIONS
THERMAL STABLE

| ATTY'S DOCKET NO. | CLASS-SUBCLASS | BATCH NO. | APPLN. TYPE | SMALL ENTITY | FEE DUE | DATE DUE |
|-------------------|----------------|-----------|-------------|--------------|-----------|----------|
| 1 99234 | 523-107.000 | J15 | UTILITY | NO | \$1210.00 | 05/23/95 |

**THE APPLICATION IDENTIFIES ABOVE HAS BEEN EXAMINED AND IS ALLOWED FOR ISSUANCE AS A PATENT.
PROSECUTION ON THE MERITS IS CLOSED.**

**THE ISSUE FEE MUST BE PAID WITHIN THREE MONTHS FROM THE MAILING DATE OF THIS NOTICE OR THIS
APPLICATION SHALL BE REGARDED AS ABANDONED. THIS STATUTORY PERIOD CANNOT BE EXTENDED.**

HOW TO RESPOND TO THIS NOTICE:

I. Review the SMALL ENTITY Status shown above.

If the SMALL ENTITY is shown as YES, verify your current SMALL ENTITY status:

- A. If the status is changed, pay twice the amount of the FEE DUE shown above and notify the patent and Trademark Office of the change in status, or
- B. If the Status is the same, pay the FEE DUE shown above.

If the SMALL ENTITY is shown as NO:

- A. Pay FEE DUE shown above, or
- B. File verified statement of Small Entity Status before, or with, pay of 1/2 the FEE DUE shown above.

II. Part B of this notice should be completed and returned to the Patent and Trademark Office (PTO) with your ISSUE FEE. Even if the ISSUE FEE has already been paid by charge to deposit account, Part B should be completed and returned. If you are charging the ISSUE FEE to your deposit account, Part C of this notice should also be completed and returned.

III. All communications regarding this application must give series code (or filing date), serial number and batch number. Please direct all communication prior to issuance to Box ISSUE FEE unless advised to contrary.

IMPORTANT REMINDER: Patents issuing on applications filed on or after Dec. 12, 1980 may require payment of maintenance fees. It is patentee's responsibility to ensure timely payment of maintenance fees when due.